

Mar 13, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES MICHAEL GARDNER,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL

SECURITY,

Defendant.

No. 2:16-CV-00424-FVS

ORDER ADOPTING REPORT AND
RECOMMENDATION TO DENY
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT AND
GRANT DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT

ECF Nos. 13, 14, 16

BEFORE THE COURT is the Report and Recommendation issued by Magistrate Judge Mary K. Dimke on February 23, 2018, ECF No. 16, recommending Plaintiff's Motion for Summary Judgment, ECF No. 13, be denied and Defendant's Motion for Summary Judgment, ECF No. 14, be granted. No objection was filed. After review, the Court hereby adopts the Report and Recommendation in its entirety. Accordingly, **IT IS ORDERED:**

1. The Report and Recommendation, **ECF No. 16**, is **ADOPTED** in its entirety.
2. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is **DENIED**.

1 3. Defendant's Motion for Summary Judgment, **ECF No. 14**, is
2 **GRANTED.**

3 The District Court Executive is directed to file this Order and forward copies
4 to the parties. Judgment shall be entered for Defendant and the file shall be
5 **CLOSED.**

6 DATED March 13, 2018.

7 s/Fred Van Sickle
8 Fred Van Sickle
 Senior United States District Judge